

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 61243

William Jeffrey Shull
Crystal Shull

335 S. Woodward Drive

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 12, 2009, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 101. 102.1, 1B01.1D, 428, failure to cease outside storage of unlicensed/inoperable motor vehicle on residential property zoned DR 5.5 known as 335 S. Woodward Drive, 21221.

On July 13, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector M. Stuart Kelly issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$10,600.00 (ten thousand six hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 21, 2009 for removal of untagged/inoperative motor vehicles; removal of junk, trash and debris; and proper storage of garbage in cans with lids. This Citation was issued on July 13, 2009 for removal of untagged/inoperative motor vehicles.

B. Photographs in the file show a dark Ford Explorer without license plates, and a white or silver Chevrolet Venture minivan with license plates that expired in December 2007. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondents must properly tag these vehicles or remove them from this residential property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violation is corrected, with the vehicles properly tagged or removed, by September 9, 2009. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17th day of August 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

